

initiate a petition and get a convention at a much earlier date.

While it is true that only Judge Sherbow and I would have been members of that Convention from among the present delegates, even so we would have had a convention some thirty years sooner.

In other areas of the country this kind of constitutional initiative has proved particularly successful in some places. I am not unaware that there are situations in which it has not done so well, and I will tell you where it is. It has not done very well in California. There are a lot of things that do not do very well in California, and one reason that this did not work in California was that the petition required a very low percentage of signatures, and they got in the habit in California of signing petitions and they have not been able to get out of it. The average size of the petition across the country in this respect is ten percent, exactly where I have placed it here.

Michigan was able a few years ago to get their constitutional convention going only because they had this in their constitution, and the current issue of the Journal of the American Judicatory Society tells what is happening in Oklahoma. There is a movement for judicial reform in Oklahoma very much like the one that we have just endorsed, and the reason that it is being put on the ballot in Oklahoma this year is that there was a petition of this sort being circulated, and the General Assembly of Oklahoma or the state legislature of Oklahoma decided that they would get their own version of it on the ballot first, so that is the way it got on there. This is another case of the shotgun.

I do not think that anyone here is wise enough to predict what particular piece of the Constitution may arouse in the people of Maryland a desire to do this thing, but I suggest that such items will arise, and it seems to me the part of wisdom on the part of this Convention to make provision for it.

I am not asking, as an earlier delegate did, that you give this amendment a unanimous vote. I would be very happy with 100 affirmative votes.

THE CHAIRMAN: Before asking for questions of the sponsor of the amendment, Delegate Winslow, in the second section of Committee Recommendation S&E-1, "dealing with the referendum", the reference is to "registered voters." In the first section of Committee Recommendation S&E-

2 dealing with eligible voters, there is in effect a definition of qualified voters, and I believe that in the other articles dealing with the executive branch and legislative branch we have referred consistently to "qualified voters."

Would it satisfy you to leave to the Committee on Style the question of whether the first word in line 14 should under all circumstances be "qualified" or "registered?"

DELEGATE WINSLOW: I should be very happy to leave it to the Style Committee.

THE CHAIRMAN: Will the Chairman of the Committee on Style then please make a note of that? The first word in line 14 of Amendment No. 1 is "qualified". The question is should it remain "qualified" or be "registered".

Are there any questions of the sponsor of the amendment?

Delegate Mason, Delegate Winslow has only one minute, so will you state your question promptly?

DELEGATE MASON: Delegate Winslow, you stated in California experience has not been too good with this type of initiative. What percentage of the voters are permitted on the petition in that state?

THE CHAIRMAN: Delegate Winslow.

DELEGATE WINSLOW: Eight per cent with no geographic spread.

THE CHAIRMAN: Are there any other questions?

Delegate Boyer.

DELEGATE BOYER: Mr. Chairman, I hope my question will not necessarily be construed in opposition, but I have discovered a slight inconsistency that disturbs me, and I thought since these records will be historical, and perhaps for posterity, Delegate Winslow would like to explain something to me here.

Reading from the 17th Report of the Commission Committee on Miscellaneous Provisions, November 21, 1966, I note that Delegate Winslow was invited to attend one of the meetings to give his views on this particular subject.

The present language that General Provisions has adopted out of the Commission draft is in a large measure a result of his suggestions.

I wonder if you would clarify your stand or your position today?